

8 CCR §§9789.70, 9789.110, and 9789.111

§ 9789.70. Ambulance Services

(a) The maximum reasonable fee for ambulance services rendered after January 1, 2004 shall not exceed 120% of the applicable fee for the Calendar Year 2004 set forth in CMS's Ambulance Fee Schedule, which is established pursuant to Section 1834 of the Social Security Act (42 U.S.C. § 1395m) and applicable to California. The Ambulance Fee Schedule, which can be found at the CMS Internet Website <http://www.cms.hhs.gov/suppliers/ambulance> is incorporated by reference and will be made available on the Division of Workers' Compensation's Internet Website (<http://www.dir.ca.gov/DWC/dwc.home.page.htm>) or upon request to the Administrative Director at:

Division of Workers' Compensation (Attention: OMFS)
P.O. Box 420603
San Francisco, CA 94142.

(b) For any ambulance service not covered by a Medicare payment system, the maximum reasonable fee paid shall not exceed the fee specified in the OMFS 2003.

(c) This section is not applicable to services provided by any air ambulance provider which at the time of service is an "air carrier" as defined in Title 49 U.S.C.A. Section 40102, a part of the Airline Deregulation Act of 1978 as amended.

§ 9789.110. Update of Rules to Reflect Changes in the Medicare Payment System

The OMFS shall be adjusted within 60 days to conform to any relevant changes in the Medicare and Medi-Cal payment systems as required by law. The Administrative Director shall determine the effective date of the change and issue an order informing the public of the change and the effective date. Such order shall be posted on the Division's Internet Website: <http://www.dir.ca.gov/DWC/dwc.home.page.htm> <http://www.dir.ca.gov/dwc/>

§ 9789.111. Effective Date of Fee Schedule Provisions

(a) The OMFS regulations for Physician Services (Sections 9789.10-9789.11) are effective for services rendered on or after July 1, 2004. Services rendered after January 1, 2004, but before July 1, 2004 are governed by the "emergency" regulations that were effective on January 2, 2004.

(b) The OMFS regulations for Inpatient Services (Sections 9789.20-9789.24) are effective for inpatient hospital admissions with dates of discharge on or after July 1, 2004. Services for discharges after January 1, 2004, but before July 1, 2004 are governed by the "emergency" regulations that were effective on January 2, 2004. Bills for services with date of admission on or before December 31, 2003 will be reimbursed in accordance with Section 9792.1.

(c) The OMFS regulations for Outpatient Services (Sections 9789.30-9789.38) are effective for services rendered on or after July 1, 2004. Services rendered after January 1, 2004, but before July 1, 2004 are governed by the "emergency" regulations that were effective on January 2, 2004.

(d) The OMFS regulation for pharmacy (Section 9789.40) is effective for services rendered after January 1, 2004.

(e) The OMFS regulation for Pathology and Laboratory (Section 9789.50) is effective for services rendered after January 1, 2004.

(f) The OMFS regulation for Durable Medical Equipment, Prosthetics, Orthotics, Supplies (Section 9789.60) is effective for services rendered after January 1, 2004.

(g) The OMFS regulation for Ambulance Services is effective for services rendered after January 1, 2004.